



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Paul Roger BRISCOE, et al.

Serial 09/641,495

No.:

Confirmation No.:7001

Filed: August 18, 2000

Docket No.:P26903

Group Art Unit:2157

Examine: JACOBS, LaShonda T

For: **GATHERING ENRICHED WEB SERVER ACTIVITY DATA OF CACHED WEB CONTENT**

United States Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, VA 22314

DECLARATION UNDER 37 C.F.R. § 1.131

Sir:

We, Paul Roger Briscoe, Cameron Donald Ferstat, Matthew Robert Ganis, Stephen Carl Hammer, Gary Bob Kip Hansen, Sean Alan Harp, Michael Shannon Nichols, Herbert Daniel Pearthree, Paul Reed, Brian James Snitzer, do hereby declare:

1. We are co-inventors of the subject matter disclosed and recited in independent claims 1, 17 and 32 of the above-identified application.

2. We completed the invention of claims 1, 17 and 32 (and those claims dependent thereon) in the United States before May 5, 2000, as evidenced below.

CONCEPTION

3. Before May 5, 2000, we conceived of a system for obtaining enriched activity data in a client-server communications network such that the information requested by a

network element is cached at one or more other network elements, along with a computer readable medium containing a computer program for obtaining enriched activity data in a client-server communications network wherein information requested by a network element is cached at one or more other network elements, as disclosed and recited in independent claims 1, 17 and 32 (and those claims dependent thereon), an embodiment of which is evidenced by IBM Invention Disclosure RAL8-2000-0006 (hereinafter referred to as "the Invention Disclosure") attached hereto as Exhibit A, in addition to other related documents. The Invention Disclosure and other related documents attached hereto is a photocopy of and is identical to the originals, except that all pertinent dates have been removed therefrom.

4. All dates removed from the Invention Disclosure and other attached documents attached hereto are before May 5, 2000.

5. As evidenced in the attached documents including the Invention Disclosure, the inventors conceived of and reduced to practice the following inventive features:

A. A system for obtaining enriched activity data in a client-server communications network, wherein the information requested by a network element is cached at one or more other network elements. A server network element including server software and a database for generating and storing a plurality of information files that are accessible to a requesting network element. Further, the system includes information files having text files and key words that are interpreted by the requesting network element to display the information requested. The information file also includes an uncacheable single pixel Graphics Image Format (GIF) request. Wherein upon interpreting the information file, the single pixel GIF request is transmitted from the requesting element over the communications network to the server network element which reads and stores enriched data contained therein.

B. A method for obtaining enriched activity data in a client-server

communications network wherein information requested by a network element is cached at one or more other network elements. The method includes generating and storing a plurality of information files at a server network element that are accessible to a requesting network element. The information files include text files, key words and a single pixel Graphics Image Format (GIF) request. Further, the method includes interpreting the information files having the text files, key words and single pixel GIF request by the requesting network element to display the information requested. Further still, the method transmits the single pixel GIF request from the requesting element over the communications network to the server network element, and reads and stores the enriched activity data contained in the transmitted single pixel GIF request at the server network element.

C. A computer readable medium containing a computer program for obtaining enriched activity data in a client-server communications network wherein information requested by a network element is cached at one or more other network elements. The computer program product includes program instructions that generate and store a plurality of accessible information files at a server network element. Further, the information files include text files, key words and a single pixel Graphics Image Format (GIF). The program instructions that receive the single pixel GIF request from the requesting element at the time when the requesting element interprets the contents of the information file. The program instructions that read and store the enriched activity data contained in the transmitted single pixel GIF make the request at the server network element.

6. The benefits and features of a system for obtaining enriched activity data in a client-server communications network such that the information requested by a network element is cached at one or more other network elements, along with a computer readable medium containing a computer program for obtaining enriched activity data in a client-server communications network wherein information requested by a network element is cached at one or more other network elements, are shown and described in the Invention

Disclosure and accompanying documents.

DUE DILIGENCE

7. Inventor Nichols communicated with IBM patent counsel in preparing a patent application based on the Invention Disclosure prior to May 5, 2000.

8. A patentability search was requested by IBM patent counsel and conducted by Wiens Search Service, Inc. prior to May 5, 2000.

9. As an example, IBM patent attorney Stephen Tryran communicated with outside patent counsel Mr. John J. Timar of Womble Carlyle Sandridge & Rice to prepare the application, and the IBM Invention Disclosure and documents were forwarded to counsel prior to May 5, 2000. The final draft of the patent application was forward to IBM on July 27, 2000.

11. The final draft of the patent application was filed in unexecuted form in the U.S. Patent and Trademark Office on August 18, 2000. The declaration was executed by the inventors between September 13, 2000 to October 2, 2000. The executed declaration was submitted on October 27, 2000.

12. We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Paul Roger Briscoe

Date

Serial No.: 09/B41,495
Attorney Docket No.: P28903.A01

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(2) Cameron Donald Ferstat


Date

(3) Matthew Robert Garis

Date

(4) Stephen Carl Hammer

Date


(5) Gary Rob Rip Hansen

8 Sept. 2005
Date

(6) Sean Alan Harp

Date

(7) Michael Shannon Nichols

Date

(8) Herbert Daniel Pearthree

Date

(9) Paul Reed

Date

(10) Brian James Snitzer

Date